BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

In the Matter of the Request of)

GEORGE N.K. PUA, SR., dba B & N TRUCKING

DOCKET NO. 04-0018

To Place Operating Authority on) Inactive Status.

ORDER NO. 20829

Filed <u>Feb. 27</u>, 2004 At <u>2:30</u> o'clock <u>P</u>.M.

Chief Clerk of the Commission

ATTEST: A True Copy KAREN HIGASHI

Chief Clerk, Public Utilities Compission, State of Hawaii.

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<u>ORDER</u>

I.

Request to Place Common Carrier Authority on Inactive Status

On January 21, 2004, GEORGE N.K. PUA, SR., dba B & N TRUCKING ("Petitioner"), filed a letter requesting that certificate of public convenience and necessity no. 5127-C ("Certificate No. 5127-C") be placed on inactive status. Certificate No. 5127-C authorizes Petitioner to transport property by motor vehicle over irregular routes on the island of Hawaii in the dump truck classification.

Under Hawaii Revised Statutes ("HRS") § 271-19, the commission may place a certificate on inactive status upon written request by a motor carrier, and for good cause shown. The inactive period, however, may not exceed 12 months. In addition, HRS § 271-19 provides that inactive status may only be granted for a cumulative period not to exceed two years over the life of the certificate.

The commission finds that there is good cause to grant Petitioner's request. If Petitioner so desires he may file, prior to the expiration of the inactive period granted by this order, a request to extend his inactive status for up to one additional year.

II.

<u>Orders</u>

THE COMMISSION ORDERS:

- 1. Petitioner's Certificate No. 5127-C is placed on inactive status for one year, effective from the date of this order.
- 2. If Certificate No. 5127-C is not reactivated prior to the expiration of the period of inactivity, i.e., within one year from the date of this order, it shall be declared abandoned and revoked. The request to reactivate Certificate No. 5127-C, along with the filing of all required documents necessary for reactivation must be completed prior to the expiration of the inactivity period, or Certificate No. 5127-C shall be revoked.
- 3. Petitioner shall not transfer his inactive certificate unless Petitioner can first establish good cause to the commission for the transfer, and the commission has approved the request to transfer.

04-0018

DONE at Honolulu, Hawaii this 27th day of February, 2004.

PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

By Cartie P. Calibora Chairman

Wayne H. Kimura, Commissioner

By Muth Cavilo

Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

Benedyne S. Stone Commission Counsel

04-0018.sl

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 20829 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS DIVISION OF CONSUMER ADVOCACY
P. O. Box 541
Honolulu, HI 96809

GEORGE N.K. PUA, SR., dba B & N TRUCKING 180 Chong Street Hilo, HI 96720

Karen Higashi

DATED: February 27, 2004